

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 27 1992
 Returned to applicant for correction AUG 10 1992
 Corrected application filed OCT 5 - 1992
 Map filed OCT 1 - 1992

The applicant PDQ Food Stores of Nevada, Inc.

6600 City West Parkway, Suite 210

Street and No. or P.O. Box No.

Eden Prairie

City or Town

Minnesota 55344

State and Zip Code No.

, hereby make.... application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) February 20, 1985; Washoe County, Nevada

1. The source of the proposed appropriation is shallow groundwater
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 0.0223 second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet.....
3. The water to be used for environmental cleanup
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated.....
 - (b) Stockwater, state number and kinds of animals to be watered.....
 - (c) Other use (describe fully under No. 12. "Remarks") environmental cleanup
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point well M-1 located in NW $\frac{1}{4}$ of
Describe as being within a 40-acre subdivision of public
SW $\frac{1}{4}$, Section 16, T15N., R20E., or at a point from which the SW corner of said
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Section 16 bears S19°19'38"W, 1402.99'
6. Place of use portions of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T.15N., R20E., M.D.B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Pump from 1 drilled groundwater recovery
State manner in which water is to be diverted, i.e. diversion structure, ditches and
well
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$150,000
10. Estimated time required to construct works.....Works will be constructed by July 20, 1992.
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....Two years. This will

12. Remarks: be based upon monitoring results of groundwater.
For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Groundwater is to be pumped from 2 shallow groundwater recovery wells, passed through activated carbon filtration for removal of petroleum hydrocarbons, and finally reinjected to the shallow groundwater aquifer via an infiltration trench. The estimated volume of water that will be treated is 702,700 cubic feet/year.

By _____ as an agent for PDQ
s/ Clay A. Cooper Food Stores of Nevada,
1755 East Plumb Lane, Suite 241 Inc.
Reno, Nevada 89502

Compared.....ap/ seap/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 57898-E and 58128-E shall not exceed 10.52 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed.....0.0223.....cubic feet per second., but not to exceed 5.26

million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be filed on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....29th.....day of.....December.....

A.D. 1992

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.